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8 Attorneys for Defendant

9
10 IN THE UNITED STATES DISTRICT COURT
11
12 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 WILLIAM O. KELLY,

14 Plaintiff,

15 v.

16 JO ANNE B. BARNHART,
17 Commissioner of
18 Social Security,

19 Defendant.

CASE NO. **2:04-CV-01507-KJM**

STIPULATION AND ORDER
SETTLING ATTORNEY'S FEES
PURSUANT TO THE EQUAL
ACCESS TO JUSTICE ACT

20 IT IS HEREBY STIPULATED by and between the parties through their undersigned counsel,
21 subject to the approval of the Court, that counsel for Plaintiff be awarded attorney's fees under the
22 Equal Access to Justice Act (EAJA) in the amount of TWO THOUSAND ONE HUNDRED AND
23 00/100 DOLLARS (\$2,100.00). This amount represents compensation for legal services rendered on
24 behalf of Plaintiff by Plaintiff's attorney in accordance with 28 U.S.C. § 2412(d).

25 This stipulation constitutes a compromise settlement of Plaintiff's request for all fees and costs
26 under the EAJA, and does not constitute an admission of liability on the part of Defendant under the
27 EAJA. Payment of the TWO THOUSAND ONE HUNDRED AND 00/100 DOLLARS (\$2,100.00)
28

1 in fees shall constitute a complete release from and bar to any and all claims Plaintiff may have
2 relating to EAJA fees and costs in connection with this action.

3
4 The parties further stipulate that counsel for Plaintiff will provide a facsimile of this
5 stipulation bearing counsel's signature for retention in Defendant's case file, and hereby authorizes
6 counsel for Defendant to file this document in PDF format under the latter's Electronic Case Filing
7 password, pursuant to Local Rule 7-131.

8
9 DATED: August 15, 2005

/s/ David M. Shore

DAVID M. SHORE

Attorney at Law

Attorney for Plaintiff

12 DATED: August 15, 2005

McGREGOR W. SCOTT

United States Attorney

15 By: /s/ Bobbie J. Montoya

BOBBIE J. MONTOYA

Assistant U. S. Attorney

Attorneys for Defendant

18
19 OF COUNSEL

20 LUCILLE GONZALES MEIS

Chief Counsel, Region IX

22 DENNIS J. HANNA

Assistant Regional Counsel

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24 U. S. Social Security Administration
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28 Re: WILLIAM O. KELLY v. JO ANNE B. BARNHART, Case No. 2:04-CV-01507-KJM, Stipulation and Order Settling
Attorney's Fees Pursuant to the Equal Access to Justice Act

oOo

ORDER

Upon stipulation of the parties, plaintiff in CASE NO. 2:04-CV-01507-KJM, **WILLIAM O. KELLY v. Jo Anne B. Barnhart**, is hereby awarded attorney fees in the amount of **\$2,100.00**, pursuant to the Equal Access to Justice Act.

APPROVED AND SO ORDERED.

DATED: August 16, 2005.



UNITED STATES MAGISTRATE JUDGE